

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 23-24397-CV-WILLIAMS

MELQUIADES BLANCO,

Plaintiff,

v.

PROGRESSIVE EXPRESS  
INSURANCE COMPANY,

Defendant.

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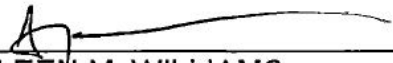
**ORDER**

**THIS MATTER** is before the Court on Magistrate Judge Jonathan Goodman's Report and Recommendation (DE 18) ("**Report**") on Defendant's Motion to Dismiss Count II of Plaintiff's Complaint (DE 10) ("**Motion**"). In the Report, Judge Goodman recommends that the Court grant the Motion both by default because Plaintiff did not respond to the Motion and on the merits. (DE 18 at 2.) No Party filed objections to the Report and the time to do so has passed.

Upon an independent review of the Report, the record, and applicable law, it is **ORDERED AND ADJUDGED** that:

1. The Report (DE 18) is **AFFIRMED AND ADOPTED**.
2. Defendant's Motion (DE 10) is **GRANTED**. Count II of Plaintiff's Complaint (DE 1-1) is **DISMISSED WITHOUT PREJUDICE**.

**DONE AND ORDERED** in Chambers in Miami, Florida, this 11th day of January, 2024.

  
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KATHLEEN M. WILLIAMS  
UNITED STATES DISTRICT JUDGE